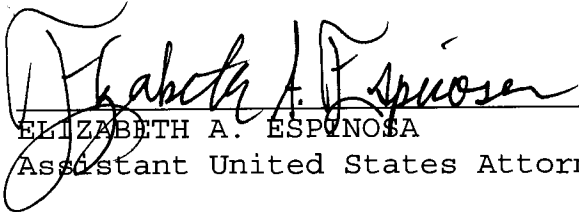


ORIGINAL

Approved:


 ELIZABETH A. ESPINOSA
 Assistant United States Attorney

Before: THE HONORABLE GABRIEL W. GORENSTEIN
 United States Chief Magistrate Judge
 Southern District of New York

- - - - - X

UNITED STATES OF AMERICA

:

19 Mag. _____

:

- v. -

:

RULE 5(c)(3)

:

AFFIDAVIT

GORDON CAPLAN,

:

Defendant.

19MAG . 2400

:

- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss:

SEAN SWEENEY, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

1. On or about March 11, 2019, the United States District Court for the District of Massachusetts issued a warrant for the arrest (the "Arrest Warrant") of "Gordon Caplan" based on complaint charging "Gordon Caplan" with one count of violating 18 U.S.C. § 1349 (conspiracy to commit mail fraud and honest services mail fraud). A copy of the Arrest Warrant and the complaint are attached as Exhibit A hereto and incorporated by reference herein.

2. I believe that GORDON CAPLAN, the defendant, who was arrested by the FBI on March 12, 2019, in the Southern District of New York, is the same person as the "Gordon Caplan" who is wanted by the United States District Court for the District of Massachusetts.

3. The bases for my knowledge and for the foregoing charge are, in part, as follows:

a. I am a Special Agent with the FBI. I have been personally involved in determining whether GORDON CAPLAN, the defendant, is the same individual as the "Gordon Caplan" named in the Arrest Warrant. Because this

Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

b. Based on my review of documents from proceedings in the United States District Court for the District of Massachusetts, I know that, on or about March 11, 2019, the United States District Court for the District of Massachusetts issued the Arrest Warrant. The Arrest Warrant was based on a complaint charging "Gordon Caplan" with one count of violating 18 U.S.C. § 1349 (conspiracy to commit mail fraud and honest services mail fraud). The complaint was issued in connection with case number 19-MJ-6087-MPK in the District of Massachusetts.

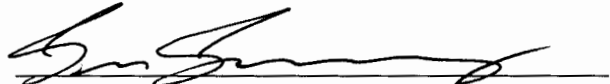
c. On March 12, 2019, at approximately 6:30 a.m., GORDON CAPLAN, the defendant, was arrested by the FBI. At the time of arrest, CAPLAN admitted to me that his name is "Gordon Caplan." CAPLAN also provided a copy of a United States Passport in the name "Gordon Caplan" and bearing his photograph.

d. I have received from other law enforcement officers photographs of the "Gordon Caplan" named and sought in the Arrest Warrant. Based on my personal observations, the photograph provided by other law enforcement officers appears to depict GORDON CAPLAN, the defendant.

[Intentionally Left Blank]

4. Accordingly, I believe that the "Gordon Caplan" sought in the Arrest Warrant is the defendant, GORDON CAPLAN.

WHEREFORE, I respectfully request that GORDON CAPLAN, the defendant, be imprisoned or bailed as the case may be.


SEAN SWEENEY
Special Agent
Federal Bureau of Investigation

Sworn to before me this
12th day of March, 2019.

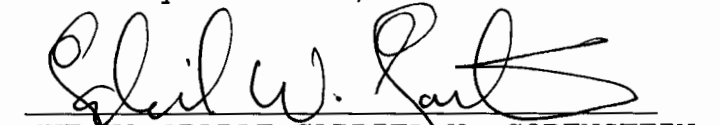

THE HONORABLE GABRIEL W. GORENSTEIN
United States Chief Magistrate Judge
Southern District of New York

EXHIBIT A

JS 45 (5/97) - (Revised U.S.D.C. MA 3/25/2011)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston Related Case Information:County Middlesex Superseding Ind./ Inf. _____ Case No. 19-MJ-6087-MPK
Same Defendant _____ New Defendant X
Magistrate Judge Case Number _____
Search Warrant Case Number See additional information
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Gordon Caplan Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name _____

Address (City & State) Greenwich, CTBirth date (Yr only): 1966 SSN (last4#): 4886 Sex M Race: White Nationality: USA

Defense Counsel if known: _____ Address _____

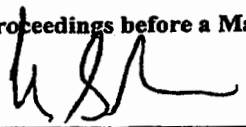
Bar Number _____

U.S. Attorney Information:AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 

JS 45 (5/97) (Revised U.S.D.C. MA 12/7/05) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPK

Name of Defendant

Gordon Caplan

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
Set 2		<u>& Honest Services Mail Fraud</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of MassachusettsUnited States of America
v.
GORDON CAPLAN

Case No. 19-MJ-6087-MPK

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) GORDON CAPLAN,
who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Conspiracy to Commit Mail Fraud and Honest Services Mail Fraud (18 U.S.C. § 1349)

Date: 03/11/2019City and state: Boston, MAKellie

Issuing Officer's Signature

Paul Kelley, ES Magistrate Judge

Name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

AO 442 (Rev. 11/11) Arrest Warrant (Page 2)

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: Gordon Caplan

Known aliases: _____

Last known residence: 20 Brynwood Ln., Greenwich, CT 06831-3312

Prior addresses to which defendant/offender may still have ties: 25 Central Park West, Apt. 7-N, New York, NY 10023-7253

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 03/19/1966

Social Security number: 100-68-4886

Height: _____

Weight: _____

Sex: M

Race: White

Hair: _____

Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America

v.

GREGORY ABBOTT, MARCIA ABBOTT, GAMAL
 ABDELAZIZ, DIANE BLAKE, TODD BLAKE, JANE
 BUCKINGHAM, GORDON CAPLAN, I-HSIN CHEN
 (see below for additional names)

Case No.

MJ No. 19-6087-MPK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2011 to the present in the county of Suffolk and elsewhere in the
District of Massachusetts, the defendant(s) violated:

Code Section

Offense Description

18 USC 1349

Conspiracy to commit mail fraud and honest services mail fraud

This criminal complaint is based on these facts:

See Affidavit of FBI SA Laura Smith. Amy and Gregory Colburn, Robert Flaxman, Mossimo Giannulli, Elizabeth and Manuel Henriquez, Douglas Hodge, Felicity Huffman, Agustin Huneeus Jr., Bruce and Davina Isackson, Michelle Janavs, Elisabeth Kimmel, Marjorie Klapper, Lori Loughlin, Toby MacFarlane, William McGlashan Jr., Marci Palatella, Peter Jan Sartorio, Stephen Semprevivo, Devin Sloane, John Wilson, Homayoun Zadeh, Robert Zangrillo

☐ Continued on the attached sheet.

Laura Smith
 Complainant's signature

Laura Smith, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/11/2019

City and state: Boston, Massachusetts



Hon. M. Page Kelley, USMJ

Printed name and title